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1-19-cv-09407 Dkt. No. 74.pdf

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SHAYNE
LAW GROUP, P.C.

RICHARD E. SCHRIER, Esq.

November 1, 2021

Via ECF:
Magistrate Judge Debra C. Freeman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: Ameriway Corp. v. May Yan Chen and Ability Customs Inc.
Case # 19-cv-09407 (VSB) (DCF)**

Dear Magistrate Judge:

This letter is being sent in advance of the telephone conference scheduled for tomorrow, November 2, 2021 at 2:00 P.M. in an effort to expedite the conference and narrow the issues to be discussed.

As the Court may recall from our conference call on October 19, 2021, this office represents the Defendant Third-Party Plaintiff May Yan Chen d/b/a Ability Customs Brokers (Ability Customs, Inc. is no longer in existence).

As you may recall, Defendant, who is a licensed customs broker, claims that she was retained by Eagle Trading USA, LLC ("Eagle") to clear the import of products from China and arrange for some supply chain services. In connection with that retention, Eagle executed a power of attorney with Chen. The power of attorney ("POA") was signed on April 11, 2017 by its Chief Operating Officer (COO), Xiyun Zhang, one of the named attorneys for Plaintiff. The Power of Attorney was certified by Peter Wolgram, Esq., the other attorney that has appeared on behalf of Plaintiff in which Mr. Wolgram certified that the POA was being issued in accord with Eagles' Articles of Incorporation and By-laws. Further, Mr. Wolgram signed the Certification as the "Second Corporate Officer" (a copy of the POA is attached as Exhibit "A" for the Court's ready reference).

Over the next two and a half (3 1/2) weeks, Defendant should reasonably be able to

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Subject:

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PDF Version: 1.7 (Acrobat 8.x)

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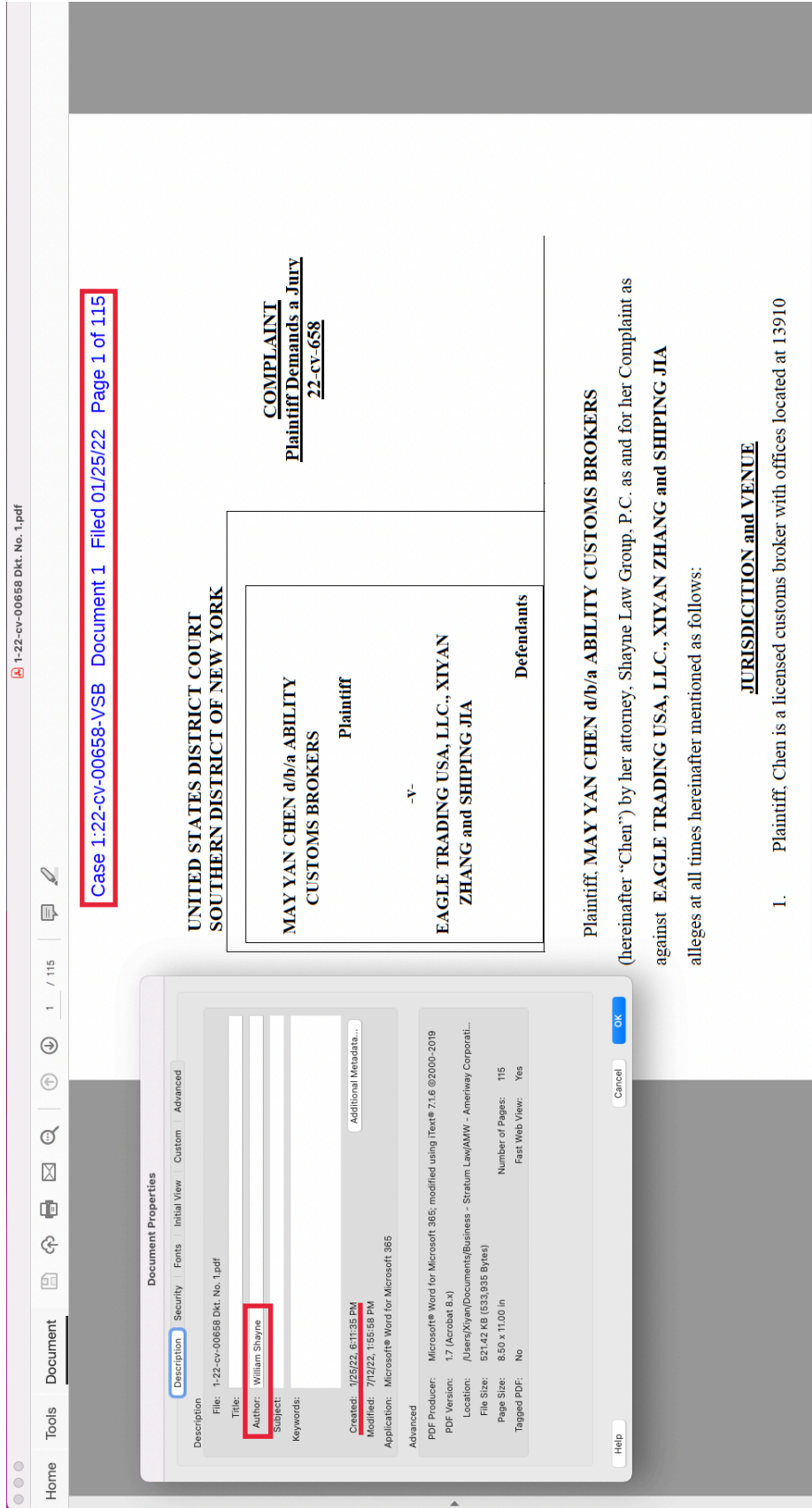
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

19-cv-09407 (VSB)

AMERIWAY CORPORATION

Plaintiff,

v.

MAY YAN CHEN,
ABILITY CUSTOMS, INC.

Defendants

MEMORANDUM OF LAW IN SUPPORT OF MOTION TO REARGUE THE
DECEMBER 27, 2022 DECISION & ORDER PURSUANT TO FRCP 60 OR IN THE
ALTERNATIVE TO ORDER A JOINT TRIAL PURSUANT TO FRCP 42Respectfully submitted,
Shayne Law GroupBy: William Shayne, Esq.
Richard E. Sehrier, Esq.
Attorneys for the Defendants
64 Fulton Street
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212-566-4949To: Stratum Law LLC (via ECF)
150 Monument Road Suite 207
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215-621-8008
Att: Xiyan Zhang, Esq.
Pete Wolfram, Esq.

Document Properties

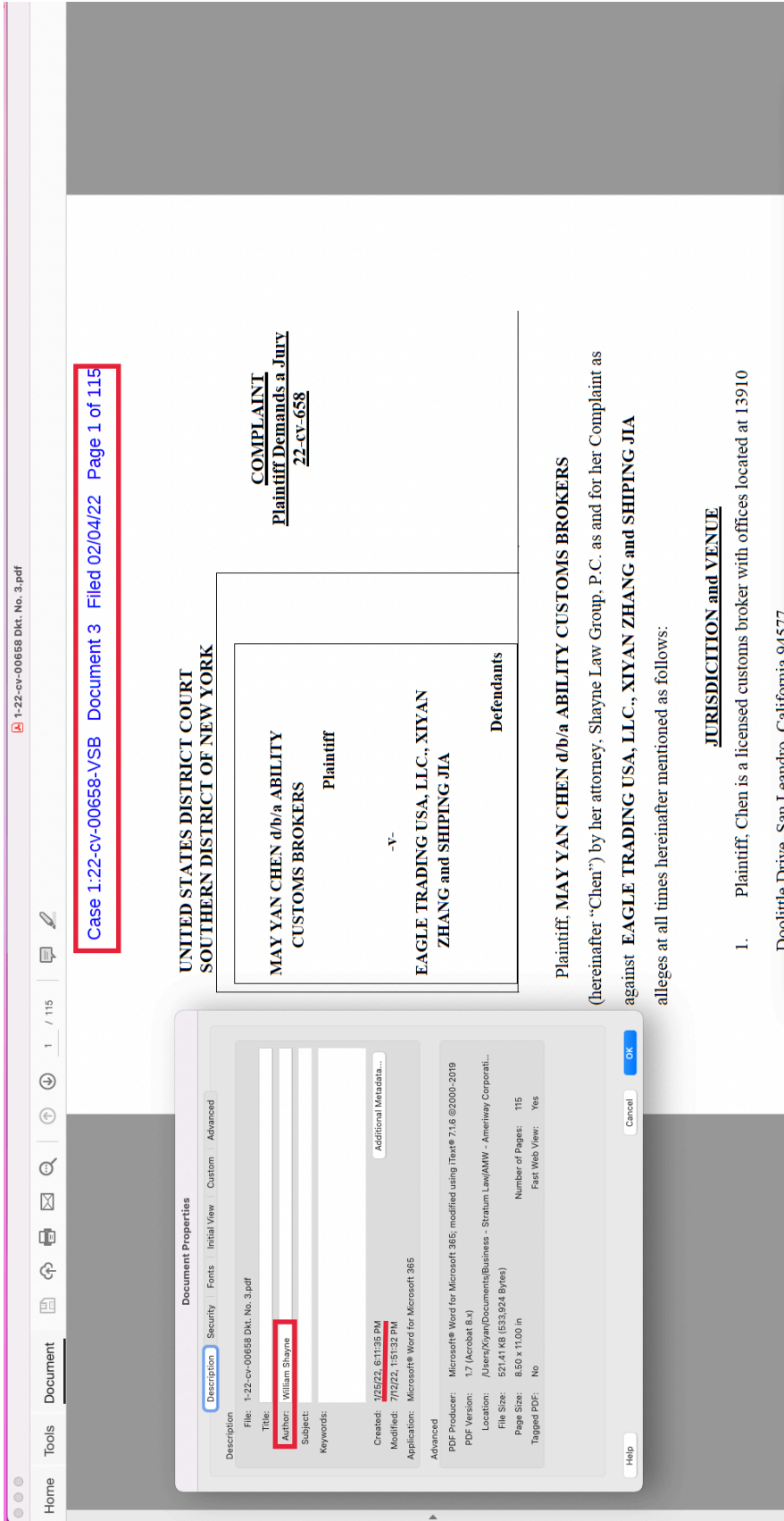
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1-19-cv-09407 Dkt. No 101.pdf

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

19 -cv-09407 (VSB)

AMERIWAY CORPORATION

Plaintiff,

v.

MAY YAN CHEN,

ABILITY CUSTOMS, INC.

Defendants

MEMORANDUM OF LAW IN SUPPORT OF MOTION TO REARGUE THE
DECEMBER 27, 2022 DECISION & ORDER PURSUANT TO FRCP 60 OR IN THE
ALTERNATIVE TO ORDER A JOINT TRIAL PURSUANT TO FRCP 42Respectfully submitted,
Shayne Law GroupBy: William Shayne, Esq.
Richard E. Schrier, Esq.
Attorneys for the Defendants
64 Fulton Street
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212-566-4949To: Stratum Law LLC (via ECF)
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Bala Cynwyd, Pa. 19004
215-621-8008
Att: Xiyan Zhang, Esq.
Pete Wolfigram, Esq.

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